

Senate File 2170 - Reprinted

SENATE FILE 2170
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 3040)

(As Amended and Passed by the Senate February 29, 2016)

A BILL FOR

1 An Act modifying the notice requirements for public improvement
2 projects.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 26.3, subsection 1, Code 2016, is amended
2 to read as follows:

3 1. If the estimated total cost of a public improvement
4 exceeds the competitive bid threshold of one hundred thousand
5 dollars, or the adjusted competitive bid threshold established
6 in [section 314.1B](#), the governmental entity shall advertise for
7 sealed bids for the proposed public improvement by ~~publishing~~
8 posting a notice to bidders. ~~The notice to bidders shall be~~
9 ~~published at least once, not less than four~~ thirteen and not
10 more than forty-five days before the date for filing bids,
11 ~~in a newspaper published at least once weekly and having~~
12 ~~general circulation in the geographic area served by the~~
13 ~~governmental entity. Additionally, the governmental entity~~
14 ~~may publish a notice in a relevant contractor organization~~
15 ~~publication and a relevant contractor plan room service with~~
16 ~~statewide circulation, provided that a notice is posted and a~~
17 relevant construction lead generating service with statewide
18 circulation and on an internet site sponsored by either a
19 governmental entity or a statewide association that represents
20 the governmental entity. If circumstances beyond the control
21 of the governmental entity cause a scheduled bid letting to be
22 postponed and there are no changes to the project's contract
23 documents, a notice to bidders of the revised date shall
24 be posted not less than four and not more than forty-five
25 days before the revised date for filing bids in a relevant
26 contractor plan room service with statewide circulation and a
27 relevant construction lead generating service with statewide
28 circulation and on an internet site sponsored by either a
29 governmental entity or a statewide association that represents
30 the governmental entity.

31 Sec. 2. Section 26.12, Code 2016, is amended to read as
32 follows:

33 **26.12 When hearing necessary.**

34 If the estimated total cost of a public improvement exceeds
35 the competitive bid threshold in [section 26.3](#), or as adjusted

1 in [section 314.1B](#), the governmental entity shall not enter into
2 a contract for the public improvement until the governmental
3 entity has held a public hearing and has approved the proposed
4 plans, specifications, and form of contract, and estimated
5 total cost of the public improvement. Notice of the hearing
6 must be published as provided in [section 362.3](#) and shall
7 include a description of the public improvement and its
8 location. At the hearing, any interested person may appear
9 and file objections to the proposed plans, specifications,
10 contract, or estimated cost of the public improvement. After
11 hearing objections, the governmental entity shall by resolution
12 enter its decision on the plans, specifications, contract, and
13 estimated cost. [This section](#) does not apply to the state.